



Town of Berwyn Heights

5700 Berwyn Road
Berwyn Heights, MD 20740
Tel. (301) 474-5000
Fax (301) 474-5002

MAYOR
Stephen Isler

COUNCIL MEMBERS
Jason Papanikolas (Mayor Pro Tem)
Amanda Dewey
Ethan Sweep

Charter Resolution 13-2018

CHARTER RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERWYN HEIGHTS, AMENDING CHAPTER III, "THE COUNCIL", SECTION 306.2, "MAYOR PRO TEMPORE" OF THE BERWYN HEIGHTS CHARTER, TO CLARIFY WHEN THE MAYOR PRO TEMPORE SHALL ASSUME ALL OR A PART OF MAYORAL DUTIES

A Charter Resolution of the Mayor and Council of the Town of Berwyn Heights, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and §4-301 *et seq.*, Local Government Article, Annotated Code of Maryland, as amended.

WHEREAS, the Council has determined that it is in the public interest to clarify when the Mayor is absent and the Mayor Pro Tempore should assume all or a part of Mayoral duties.

Section 1. NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Berwyn Heights that Chapter III, "The Council", Section 306.2, "Mayor Pro Tempore" be repealed, re-enacted and amended to read as follows:

Section 306.2. Mayor Pro Tempore

The Mayor Pro Tempore shall assume all OR A PART OF Mayoral duties and responsibilities, AS AUTHORIZED HEREIN, during the absence of the Mayor. THE MAYOR IS ABSENT WHEN:

- A. THE MAYOR NOTIFIES THE COUNCIL THAT HE OR SHE WILL BE ABSENT OR IS UNABLE ~~OR UNWILLING~~ TO PERFORM ALL OR A PART OF THE DUTIES OF OFFICE; OR
- B. THE MAYOR IS ~~UNABLE OR UNWILLING~~ TO SIGN LEGISLATION DULY ADOPTED BY THE COUNCIL OR THOSE DOCUMENTS NECESSARY TO GIVE EFFECT TO SAID LEGISLATION; OR
- C. A SUPER MAJORITY OF THE COUNCIL DETERMINES BY A PUBLIC VOTE THAT THE MAYOR ~~IS UNABLE OR UNWILLING~~ HAS FAILED TO PERFORM ALL OR A PART OF THE DUTIES OF OFFICE.

In the event the Office of Mayor shall become vacant, the Mayor Pro Tempore shall become Mayor.

Section 2. BE IT FURTHER RESOLVED that this Charter Amendment Resolution is adopted this ____ day of _____, 2018 and that the amendments to the Charter of the Town of Berwyn Heights, hereby proposed by this enactment, shall be and become effective fifty (50) days after its passage by the Town Council unless a petition for referendum in accordance with the Local Government Article of the Annotated Code of Maryland is received by the Town on or before the fortieth (40th) day after initial passage of the Charter Amendment Resolution. A fair summary of this Resolution shall be posted in the Town Hall

CAPS : Indicate matter added to existing law.

[Brackets] : Indicate matter deleted from law.

Asterisks * * * : Indicate matter remaining unchanged in existing law but not set forth in Resolution.

for forty (40) days following its adoption and shall be published in a newspaper having general circulation in the Town no fewer than four (4) times at weekly intervals within the forty (40) days following its passage by the Town.

Section 3. **BE IT FURTHER RESOLVED** that upon this Resolution becoming effective, either as herein provided or following a referendum the Town Manager shall send to the Department of Legislative Services, the following information concerning the Charter Amendment Resolution: (i) the complete text of this Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the Council of the Town of Berwyn Heights or in a referendum; and (iv) the effective date of the Charter Amendment. The Town Manager shall also send a copy of the Charter Amendment Resolution to the Clerk of the Circuit Court for Prince George's County.

INTRODUCED by the Mayor and Town Council of the Town of Berwyn Heights at a Town Meeting on _____, at which meeting copies were available to the public for inspection.

ADOPTED by a majority of the Mayor and Town Council of the Town of Berwyn Heights at a Town Meeting on _____, at which meeting copies were available to the public for inspection.

By the Order of the Mayor and Town Council

Stephen Isler, Mayor of Berwyn Heights

ATTEST:

Kerstin Harper, Town Clerk